

TWENTY-FIRST DAY - FEBRUARY 6, 2003

LEGISLATIVE JOURNAL

**NINETY-EIGHTH LEGISLATURE
FIRST SESSION**

TWENTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, February 6, 2003

PRAYER

The prayer was offered by Senator Aguilar.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Heineman presiding.

The roll was called and all members were present except Senator Bromm who was excused; and Senators Baker, Chambers, Raikes, and Schrock who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twentieth day was approved.

SELECT COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 84. Placed on Select File.

LEGISLATIVE BILL 90. Placed on Select File as amended.

E & R amendment to LB 90:

AM7020

- 1 1. On page 5, lines 5 and 6, strike the second " ' " and
- 2 insert "°"; in line 21 strike the period and insert an underscored
- 3 comma and a space; and in line 22 after "east" insert an
- 4 underscored comma.

LEGISLATIVE BILL 126. Placed on Select File.

LEGISLATIVE BILL 243. Placed on Select File.

LEGISLATIVE BILL 429. Placed on Select File as amended.

E & R amendment to LB 429:

AM7021

- 1 1. On page 1, line 7, strike "and"; and in line 8 after

- 2 "sections" insert "; and to declare an emergency".
3 2. On page 2, line 17, strike "or" and insert "or".
4 3. On page 3, line 11, after the comma insert "a".
5 4. On page 4, line 10, strike the comma.

(Signed) Ray Mossey, Chairperson

ANNOUNCEMENT

Senator Redfield designates LB 487 as her priority bill.

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of February 5, 2003, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell
Clerk of the Legislature

Kelley & Lehan, P.C.
Liquor Distributors, Nebraska

Moors, H. Jack
R.L. Polk & Co.
Syngenta

O'Neal II, John R.
Advocacy Services, Inc., Nebraska

Radcliffe, Walter H. of Radcliffe & Associates
Broadcasters Association, Nebraska

REPORTS

The following reports were received by the Legislature:

Policy Research Office, Governor's

Municipal Natural Gas Regulation Revolving Loan Fund for the quarter ending December 31, 2002

Revenue, Department of

Auditor of Public Accounts Report of Examination for Fiscal Year ended June 30, 2002

UNANIMOUS CONSENT - Member Excused

Senator Cudaback asked unanimous consent to be excused until he returns. No objections. So ordered.

GENERAL FILE

LEGISLATIVE BILL 333A. Title read. Considered.

Advanced to E & R for review with 29 ayes, 0 nays, 14 present and not voting, and 6 excused and not voting.

LEGISLATIVE BILL 85. Considered.

Senator Beutler offered the following amendment:

FA1156

Strike section 1

SENATOR ENGEL PRESIDING

Senators Cunningham and Tyson asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Beutler withdrew his amendment.

Senator Beutler offered the following motion:

Bracket to March 15, 2003

SENATOR CUDABACK PRESIDING

Senators Engel and Vrtiska asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Beutler moved for a call of the house. The motion prevailed with 24 ayes, 0 nays, and 25 not voting.

Senator Beutler requested a roll call vote on his motion to bracket.

Voting in the affirmative, 8:

Beutler	Kruse	Raikes	Synowiecki
Connealy	Price	Schimek	Thompson

Voting in the negative, 32:

Aguilar	Cunningham	Jones	Mossey	Stuhr
Baker	Erdman	Kremer	Pedersen, Dw.	Stuthman
Brashear	Foley	Landis	Pederson, D.	Tyson
Brown	Friend	Louden	Quandahl	Wehrbein
Burling	Hudkins	Maxwell	Redfield	
Byars	Jensen	McDonald	Schrock	
Combs	Johnson	Mines	Smith	

Present and not voting, 6:

Bourne	Cudaback	Janssen
Chambers	Hartnett	Preister

Excused and not voting, 3:

Bromm	Engel	Vrtiska
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The Beutler motion to bracket failed with 8 ayes, 32 nays, 6 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Advanced to E & R for review with 35 ayes, 4 nays, 7 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 85A. Title read. Considered.

Advanced to E & R for review with 34 ayes, 0 nays, 12 present and not voting, and 3 excused and not voting.

STANDING COMMITTEE REPORTS

Agriculture

LEGISLATIVE BILL 161. Placed on General File.

LEGISLATIVE BILL 219. Placed on General File as amended.

Standing Committee amendment to LB 219:

AM0247

- 1 1. Insert the following new section:
- 2 "Sec. 4. Since an emergency exists, this act takes
- 3 effect when passed and approved according to law."

(Signed) Bob Kremer, Chairperson

Health and Human Services

LEGISLATIVE BILL 234. Placed on General File.

LEGISLATIVE BILL 56. Placed on General File as amended.

Standing Committee amendment to LB 56:

AM0157

- 1 1. On page 2, strike beginning with the second "and" in
- 2 line 4 through "people" in line 6.
- 3 2. On page 5, line 26, after the semicolon insert "and";
- 4 and strike beginning with "Communication" in line 27 through line
- 5 28.
- 6 3. On page 6, line 4, strike "consult with" and insert

7 "advise".
 8 4. On page 7, strike beginning with "initiate" in line
 9 13 through "resolve" in line 14 and insert "help mediate"; in line
 10 15 after "professions" insert "except issues related to the
 11 discipline of health care professionals"; and in line 16 strike
 12 "studies for".

(Signed) Jim Jensen, Chairperson

Government, Military and Veterans Affairs

LEGISLATIVE BILL 537. Placed on General File.

LEGISLATIVE BILL 228. Placed on General File as amended.

Standing Committee amendment to LB 228:

AM0269

- 1 1. On page 5, line 6, strike "residential" and insert
- 2 "mailing".

(Signed) DiAnna R. Schimek, Chairperson

UNANIMOUS CONSENT - Members Excused

Senators Aguilar and Schimek asked unanimous consent to be excused until they return. No objections. So ordered.

GENERAL FILE

LEGISLATIVE BILL 214. Title read. Considered.

The Standing Committee amendment, AM0034, found on page 324, was adopted with 28 ayes, 0 nays, 16 present and not voting, and 5 excused and not voting.

Advanced to E & R for review with 27 ayes, 0 nays, 17 present and not voting, and 5 excused and not voting.

Senator Mines asked unanimous consent to be excused until he returns. No objections. So ordered.

LEGISLATIVE BILL 216. Title read. Considered.

The Standing Committee amendment, AM0026, found on page 325, was adopted with 25 ayes, 0 nays, 18 present and not voting, and 6 excused and not voting.

Advanced to E & R for review with 26 ayes, 0 nays, 17 present and not voting, and 6 excused and not voting.

Senators Aguilar, Johnson, Loudon, and Tyson asked unanimous consent to be excused until they return. No objections. So ordered.

LEGISLATIVE BILL 282. Title read. Considered.

The Standing Committee amendment, AM0072, found on page 327, was considered.

Pending.

STANDING COMMITTEE REPORTS

Business and Labor

LEGISLATIVE BILL 418. Placed on General File as amended.

Standing Committee amendment to LB 418:

AM0224

- 1 1. Strike the original sections and insert the following
- 2 new sections:
- 3 "Section 1. Sections 1 to 8 of this act shall be known
- 4 and may be cited as the Non-English-Speaking Workers Protection
- 5 Act.
- 6 Sec. 2. Section 48-2201, Reissue Revised Statutes of
- 7 Nebraska, is amended to read:
- 8 ~~48-2201.~~ For purposes of ~~sections 48-2201 to 48-2206 the~~
- 9 Non-English-Speaking Workers Protection Act, unless the context
- 10 otherwise requires:
- 11 (1) Actively recruit means any affirmative act, as
- 12 defined by the ~~Department of Labor~~ department, done by or on behalf
- 13 of an employer for the purpose of recruitment or hiring of
- 14 non-English-speaking employees who reside more than five hundred
- 15 miles from the place of employment;
- 16 (2) Commissioner means the Commissioner of Labor;
- 17 (3) Coordinator means the meatpacking industry worker
- 18 rights coordinator appointed pursuant to section 7 of this act;
- 19 (4) Department means the Department of Labor;
- 20 (5) Employ means to permit to work;
- 21 ~~(4)~~ (6) Employee means any individual employed by any
- 22 employer but does not include:
- 23 (a) Any individual employed in agriculture; or
- 24 (b) Any individual employed as a child care provider in
- 1 or for a private home;
- 2 ~~(5)~~ (7) Employer means any individual, partnership,
- 3 limited liability company, association, corporation, business
- 4 trust, legal representative, or organized group of persons
- 5 employing one hundred or more employees at any one time, except for
- 6 seasonal employment of not more than twenty weeks in any calendar
- 7 year, or person acting directly or indirectly in the interest of an
- 8 employer in relation to an employee but does not include the United
- 9 States, the state, or any political subdivision thereof; ~~and~~

10 (8) Meatpacking operation means a business in which
 11 slaughtering, butchering, meat canning, meat packing, meat
 12 manufacturing, poultry canning, poultry packing, poultry
 13 manufacturing, pet food manufacturing, processing of meatpacking
 14 products, or rendering is carried on;

15 (9) Meatpacking products include livestock products and
 16 poultry products as such terms are defined in section 54-1902; and

17 ~~(6)~~ (10) Non-English-speaking employee means an employee
 18 who does not speak, read, or understand English to the degree
 19 necessary for comprehension of the terms, conditions, and daily
 20 responsibilities of employment.

21 Sec. 3. Section 48-2202, Reissue Revised Statutes of
 22 Nebraska, is amended to read:

23 ~~48-2202.~~ If an employer or a representative of an
 24 employer actively recruits any non-English-speaking persons ~~who~~
 25 ~~reside more than five hundred miles from the place of employment~~
 26 for employment as employees in this state and if more than ten
 27 percent of the employees of an employer are non-English-speaking
 1 employees and speak the same non-English language, the employer
 2 shall provide a bilingual employee who is conversant in the
 3 identified non-English language and available at the worksite for
 4 each shift during which a non-English-speaking employee is employed
 5 to (1) explain and respond to questions regarding the terms,
 6 conditions, and daily responsibilities of employment and (2) serve
 7 as a referral agent to community services for the
 8 non-English-speaking employees.

9 Sec. 4. Section 48-2203, Reissue Revised Statutes of
 10 Nebraska, is amended to read:

11 ~~48-2203.~~ (1) An employer or a representative of an
 12 employer who actively recruits any non-English-speaking persons ~~who~~
 13 ~~reside more than five hundred miles from the place of employment~~
 14 for employment as employees in this state and whose work force is
 15 more than ten percent non-English-speaking employees who speak the
 16 same non-English language shall file with the commissioner a
 17 written statement signed by the employer and each such employee
 18 which provides relevant information regarding the position of
 19 employment, including:

20 (a) The minimum number of hours the employee can expect
 21 to work on a weekly basis;

22 (b) The hourly wages of the position of employment
 23 including the starting hourly wage;

24 (c) A description of the responsibilities and tasks of
 25 the position of employment;

26 ~~The~~ A description of the transportation and housing
 27 to be provided, if any, including any costs to be charged for
 1 housing or transportation, how long the length of time such housing
 2 is to be provided, and that whether or not such housing is in
 3 compliance with all applicable state and local housing standards;
 4 and

5 (e) ~~The~~ Any occupational physical demands and hazards of
6 the position of employment which are known to the employer.
7 The statement shall be written in English and in the
8 identified language of the non-English-speaking employee, and the
9 employer or the representative shall explain in detail the contents
10 of the statement prior to obtaining the employee's signature. A
11 copy of the statement shall be given to the employee.
12 It is a violation of this subsection if an employer or
13 representative knowingly and willfully provides false or misleading
14 information on the statement or regarding the contents of the
15 statement.

16 (2) An employer shall provide transportation for a
17 recruited employee, at no cost to the employee, to the location
18 from which the employee was recruited if the employee:

19 (a) Resigns from employment within four weeks after the
20 initial date of employment; and

21 (b) Requests transportation within not more than three
22 days after the employee's last day of employment with the employer
23 which recruited the employee.

24 Sec. 5. Section 48-2205, Reissue Revised Statutes of
25 Nebraska, is amended to read:

26 ~~48-2205.~~ Any employer who violates section 3 or 4 of
27 this act or the rules and regulations promulgated thereto ~~any~~
1 ~~provision of section 48-2202 or 48-2203~~ is guilty of a Class IV
2 misdemeanor.

3 Sec. 6. Section 48-2206, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 ~~48-2206.~~ Any person aggrieved as a result of a violation
6 of ~~sections 48-2202 to 48-2204~~ section 3 or 4 of this act or the
7 rules and regulations promulgated thereto may file suit in any
8 district court of this state. If the court finds that the
9 respondent has intentionally violated ~~any provision of sections~~
10 ~~48-2202 to 48-2204~~ section 3 or 4 of this act or the rules and
11 regulations promulgated thereto, the court may award damages up to
12 and including an amount equal to the original damages and provide
13 injunctive relief.

14 Sec. 7. Section 81-404, Revised Statutes Supplement,
15 2002, is amended to read:

16 ~~81-404.~~ (1) The position of ~~Meatpacking Industry Worker~~
17 ~~Rights Coordinator~~ meatpacking industry worker rights coordinator
18 is established within the ~~Department of Labor~~ department. The
19 coordinator shall be appointed by the Governor.

20 (2) The duties of the coordinator shall be to inspect and
21 review the practices and procedures of meatpacking operations in
22 the State of Nebraska as they relate to the provisions of the
23 Governor's Nebraska Meatpacking Industry Workers Bill of Rights,
24 which rights are outlined as follows:

25 (a) The right to organize;

26 (b) The right to a safe workplace;

- 27 (c) The right to adequate facilities and the opportunity
 1 to use them;
 2 (d) The right to complete information;
 3 (e) The right to understand the information provided;
 4 (f) The right to existing state and federal benefits and
 5 rights;
 6 (g) The right to be free from discrimination;
 7 (h) The right to continuing training, including
 8 ~~supervisor's training~~ training of supervisors;
 9 (i) The right to compensation for work performed; and
 10 (j) The right to seek state help.
 11 (3) The coordinator and his or her designated
 12 representatives shall have access to all meatpacking operations in
 13 the State of Nebraska at any time meatpacking products are being
 14 processed and industry workers are on the job.
 15 (4) Necessary office space, furniture, equipment, and
 16 supplies as well as necessary assistance for the coordinator shall
 17 be provided by the ~~department~~ commissioner.
 18 (5) Preference shall be given to applicants for the
 19 coordinator position who are fluent in the Spanish language.
 20 (6) The coordinator shall, ~~annually~~, on or before
 21 December 1 of each year, submit a report to the members of the
 22 Legislature and the Governor regarding any recommended actions the
 23 coordinator deems necessary or appropriate to provide for the fair
 24 treatment of workers in the meatpacking industry.
 25 ~~(7) For purposes of this section:~~
 26 ~~(a) Meatpacking operations means a business in which~~
 27 ~~slaughtering, butchering, meat canning, meat packing, meat~~
 1 ~~manufacturing, poultry canning, poultry packing, poultry~~
 2 ~~manufacturing, pet feed manufacturing, processing of meatpacking~~
 3 ~~products, or rendering is carried on; and~~
 4 ~~(b) Meatpacking products include livestock products and~~
 5 ~~poultry products as such terms are defined in section 54-1902.~~
 6 ~~(8) This section terminates on June 30, 2004.~~
 7 Sec. 8. Section 48-2204, Reissue Revised Statutes of
 8 Nebraska, is amended to read:
 9 ~~48-2204.~~ The commissioner shall adopt and promulgate
 10 rules and regulations necessary to carry out ~~sections 48-2201 to~~
 11 ~~48-2206~~ the Non-English-Speaking Workers Protection Act. The
 12 commissioner or a representative of the commissioner, including the
 13 coordinator, may:
 14 (1) Inspect employment records of an employer relating to
 15 the total number of employees, the total number of
 16 non-English-speaking employees, and the services provided to
 17 non-English-speaking employees; and
 18 (2) Interview an employer, any representative, any agent,
 19 or an employee of the employer during working hours or at other
 20 reasonable times.
 21 Sec. 9. Section 48-1702, Revised Statutes Supplement,

22 2002, is amended to read:

23 48-1702. For purposes of the Farm Labor Contractors Act,
24 unless the context otherwise requires:

25 (1) Department means the Department of Labor;

26 (2) Farm labor contractor means any individual,
27 partnership, limited liability company, corporation, or cooperative
1 association, other than an agricultural employer, an agricultural
2 association, or an employee of an agricultural employer or
3 agricultural association, who for any money or other valuable
4 consideration paid or promised to be paid performs any farm labor
5 contracting activity;

6 (3) Farm labor contracting activity means recruiting,
7 soliciting, hiring, employing, furnishing, or transporting any
8 migrant or seasonal agricultural worker;

9 (4) Non-English-speaking worker has the same meaning as
10 non-English-speaking employee in section ~~48-2201~~ 2 of this act; and

11 (5) Worker means a person who is employed or recruited by
12 or who subcontracts with a farm labor contractor.

13 Sec. 10. Original sections 48-2201 to 48-2206, Reissue
14 Revised Statutes of Nebraska, and sections 48-1702 and 81-404,
15 Revised Statutes Supplement, 2002, are repealed."

(Signed) Floyd P. Vrtiska, Chairperson

Agriculture

LEGISLATIVE BILL 157. Placed on General File as amended.
Standing Committee amendment to LB 157:
AM0165

1 1. On page 4, lines 11 and 12, strike the new matter and
2 reinstate the stricken matter.

3 2. On page 8, line 23, after "employee" insert "or
4 agent"; and in line 24 after "state" insert "who is not a
5 commercial applicator".

6 3. On page 9, line 4, after "life" insert ", excluding
7 humans"; and in lines 15, 19, and 20 reinstate the stricken matter.

8 4. On page 14, line 14, strike the new matter.

9 5. On page 15, line 1, after "to" insert "or the death
10 of"; in line 21 strike "To", show as stricken, and insert "Except
11 as authorized by law, to"; and in lines 23 through 27 strike the
12 new matter and insert ". Applications for outdoor vector control
13 authorized by a federal or state agency or political subdivision
14 shall not be in violation of this subdivision when the application
15 is made from public access property and cannot practically be
16 confined to public property".

LEGISLATIVE BILL 160. Placed on General File as amended.
Standing Committee amendment to LB 160:

AM0248

- 1 1. On page 2, strike beginning with "any" in line 16
- 2 through "definition" in line 19, show the old matter as stricken,
- 3 and insert "all vertebrate members of the animal kingdom, except
- 4 humans, fish, amphibians, and reptiles".

LEGISLATIVE BILL 250. Placed on General File as amended.

Standing Committee amendment to LB 250:

AM0211

- 1 1. On page 6, line 13, after "only" insert "(a)"; and in
- 2 line 19 after "hazardous" insert "or (b) hermetically sealed canned
- 3 foods".

LEGISLATIVE BILL 273. Placed on General File as amended.

Standing Committee amendment to LB 273:

AM0249

- 1 1. Strike the original sections and insert the following
- 2 new sections:
- 3 "Section 1. A commercial breeder shall:
- 4 (1) Maintain housing facilities and primary enclosures in
- 5 a sanitary condition;
- 6 (2) Enable all dogs and cats to remain dry and clean;
- 7 (3) Provide shelter and protection from extreme
- 8 temperatures and weather conditions that may be uncomfortable or
- 9 hazardous to the dogs and cats;
- 10 (4) Provide sufficient shade to shelter all the dogs and
- 11 cats housed in the primary enclosure at one time;
- 12 (5) Provide dogs and cats with easy and convenient access
- 13 to adequate amounts of clean food and water;
- 14 (6) Provide adequate space appropriate to the age, size,
- 15 weight, and breed of dog or cat. For purposes of this subdivision,
- 16 adequate space means sufficient space to allow each dog and cat to
- 17 turn about freely, to stand, sit, and lie in a comfortable, normal
- 18 position, and to walk in a normal manner without the head of such
- 19 animal touching the top of the cage which shall be at least six
- 20 inches above the head of the tallest animal when the animal is
- 21 standing;
- 22 (7) Provide dogs with adequate socialization and
- 23 exercise. For the purpose of this subdivision, adequate
- 24 socialization means physical contact with other dogs and with human
- 1 beings, other than being fed, and adequate exercise means providing
- 2 the opportunity for exercise at least two times per day outside of
- 3 a cage or similar small enclosure except during inclement weather
- 4 that may be hazardous to dogs;
- 5 (8) Assure that a handler's hands are washed before and
- 6 after handling each infectious or contagious dog or cat; and
- 7 (9) Provide veterinary care without delay when necessary.
- 8 Sec. 2. A primary enclosure shall have floors that are
- 9 constructed in a manner that protects the dogs' and cats' feet and

10 legs from injury and that, if of mesh or slatted construction, do
11 not allow the dogs' and cats' feet to pass through any openings in
12 the floor. If a primary enclosure has a suspended floor
13 constructed of metal strands, the strands shall either be greater
14 than one-eighth of an inch in diameter (nine gauge) or coated with
15 a material such as plastic or fiberglass. The suspended floor of
16 any primary enclosure shall be strong enough so that the floor does
17 not sag or bend between the structural supports.

18 Sec. 3. Section 54-625, Revised Statutes Supplement,
19 2002, is amended to read:
20 54-625. Sections 54-625 to 54-636 and sections 1 and 2
21 of this act shall be known and may be cited as the Commercial Dog
22 and Cat Operator Inspection Act.
23 Sec. 4. Original section 54-625, Revised Statutes
24 Supplement, 2002, is repealed."

LEGISLATIVE BILL 274. Placed on General File as amended.

Standing Committee amendment to LB 274:

AM0258

- 1 1. Strike the original sections and insert the following
- 2 new sections:
- 3 "Section 1. (1) Every dealer, commercial breeder, animal
- 4 shelter, animal control facility, or any retailer, who transfers
- 5 ownership of a dog or cat to an ultimate consumer, shall deliver to
- 6 the ultimate consumer of each dog or cat at the time of sale,
- 7 written material, in a form determined by such seller, containing
- 8 information on the benefits of spaying and neutering. The written
- 9 material shall include recommendations on establishing a
- 10 relationship with a veterinarian, information on early-age spaying
- 11 and neutering, the health benefits associated with spaying and
- 12 neutering pets, the importance of minimizing the risk of homeless
- 13 or unwanted animals, and the need to comply with applicable license
- 14 laws.
- 15 (2) The delivering of any model materials prepared by the
- 16 Pet Industry Joint Advisory Council or the Nebraska Humane Society
- 17 shall satisfy the requirements of subsection (1) of this section.
- 18 Sec. 2. Provision shall be made for spaying or neutering
- 19 all dogs and cats released for adoption or purchase from any public
- 20 or private animal shelter or animal control facility operated by a
- 21 humane society, a county, a city, or another political subdivision.
- 22 Such provision may be made by:
- 23 (1) Causing the dog or cat to be spayed or neutered by a
- 24 licensed veterinarian before releasing the dog or cat for adoption
1 or purchase; or
2 (2) Entering into a written agreement with the adopter or
3 purchaser of the dog or cat, guaranteeing that spaying or neutering
4 will be performed by a licensed veterinarian in compliance with an
5 agreement which shall contain the following information:
6 (a) The date of the agreement;

7 (b) The name, address, and signature of the releasing
 8 entity and the adopter or purchaser;
 9 (c) A description of the dog or cat to be adopted or
 10 purchased;
 11 (d) A statement, in conspicuous bold print, that spaying
 12 or neutering of the dog or cat is required pursuant to this
 13 section; and
 14 (e) The date by which the spaying or neutering will be
 15 completed, which date shall be (i) in the case of an adult dog or
 16 cat, the thirtieth day after the date of adoption or purchase or
 17 (ii) in the case of a pup or kitten, either (A) the thirtieth day
 18 after a specified date estimated to be the date the pup or kitten
 19 will reach six months of age or (B) if the releasing entity has a
 20 written policy recommending spaying or neutering of certain pups or
 21 kittens at an earlier date, the thirtieth day after such date.
 22 Sec. 3. An adopter or purchaser who signs an agreement
 23 under section 2 of this act shall cause the adopted or purchased
 24 dog or cat to be spayed or neutered on or before the date stated in
 25 the agreement. If such date falls on a Saturday, Sunday, or legal
 26 holiday, the date may be extended to the first business day
 27 following such date. The releasing entity may extend the date for
 1 thirty days upon presentation of a letter or telephone report from
 2 a licensed veterinarian, stating that the life or health of the
 3 adopted or purchased dog or cat would be jeopardized by spaying or
 4 neutering, and such extensions may continue to be granted until
 5 such veterinarian determines that spaying or neutering would no
 6 longer jeopardize the life or health of the adopted or purchased
 7 dog or cat.
 8 Sec. 4. Section 54-625, Revised Statutes Supplement,
 9 2002, is amended to read:
 10 54-625. Sections 54-625 to 54-636 and sections 1 to 3 of
 11 this act shall be known and may be cited as the Commercial Dog and
 12 Cat Operator Inspection Act.
 13 Sec. 5. Original section 54-625, Revised Statutes
 14 Supplement, 2002, is repealed."

(Signed) Bob Kremer, Chairperson

RESOLUTION

LEGISLATIVE RESOLUTION 29. Introduced by Foley, 29.

WHEREAS, Elwood N. "Jack" Thompson lived a long and illustrious life as a native and longtime resident of Nebraska; and

WHEREAS, Mr. Thompson founded and contributed to many lasting treasures of the State of Nebraska and City of Lincoln, including the E.N. Thompson Forum on World Issues, the University of Nebraska Foundation, the Lied Center for Performing Arts, and the Nebraska Arts Council, among others; and

WHEREAS, Mr. Thompson served as an influential business leader in Lincoln in executive positions at Cooper Theatres, Inc., the Cooper Foundation, and the First Trust Company of Lincoln; and

WHEREAS, working to better his community economically and culturally, Mr. Thompson played an instrumental role on numerous community development boards and committees; and

WHEREAS, Mr. Thompson devoted much of his life to philanthropic causes, providing and promoting goodwill toward all people; and

WHEREAS, Mr. Thompson demonstrated his quest for learning by excelling in a number of varying career fields, among them philanthropy, finance, government service, and journalism; and

WHEREAS, as an active proponent of education, Mr. Thompson greatly supported higher learning, especially at the University of Nebraska, and earned degrees in political science, journalism, and law; and

WHEREAS, in recognition of his efforts to sustain and support the arts and humanities, Mr. Thompson was awarded numerous honors, including the Sower's Award, the Leonard Thiessen Award, honorary Doctorates of Humane Letters from Doane College, the University of Nebraska, and Nebraska Wesleyan University, various alumni awards, and others; and

WHEREAS, Mr. Thompson accomplished many great things throughout his life and served as a model citizen in his service to his community and his family.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-EIGHTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Legislature honors the life of Elwood N. "Jack" Thompson and his many accomplishments on behalf of his community.
2. That a copy of this resolution be sent to the family of Elwood N. "Jack" Thompson.

Laid over.

VISITORS

Visitors to the Chamber were Tom Noecker from Hartington, Art Anderson from Bloomfield, and Gary Kimm from Yankton, South Dakota; and former Senator David Bernard-Stevens from North Platte.

ADJOURNMENT

At 11:54 a.m., on a motion by Senator Janssen, the Legislature adjourned until 9:00 a.m., Monday, February 10, 2003.

Patrick J. O'Donnell
Clerk of the Legislature